

Section 5.12 Accessory Structures

A. Applicability

The regulations and standards contained in this section shall apply to Accessory Structures as defined in Chapter 6 Glossary. These uses may only be located in those zoning districts as described in, and shall only be authorized in concert with the permit requirements of, Chapter 3 Zoning District Regulations and Chapter 4 Standards Related to Specific Uses. Specifically, this section covers those accessory uses within the Residential Uses land use category. Other land use categories are addressed in other chapters of this code.

B. Permit Requirements and Exceptions

Except as otherwise exempt below, the majority of accessory structures governed by this section shall go through a simple plan check (Zoning Clearance) at the time a building permit is issued to ensure compliance with applicable regulations. However, in accordance with Section 2.1 Development Review, some larger, enclosed accessory structures may require Development Review permit approval to ensure compliance with all applicable provisions of this code.

The following structures shall be exempt from the requirements of this section as specified below and are subject to compliance with all other provisions of this code:

1. Enclosed and/or solid-roofed accessory structures smaller than one hundred twenty (120) square feet in size with no portion of the structure equal to or greater than nine (9) feet in height. Structures shall not be located in a required front yard. In order to maintain necessary fire breaks, all combustible accessory structures shall be set back a minimum of three (3) feet from side and rear property lines with a minimum six (6)-foot separation between structures.
2. Landscape features (e.g., garden gateways, gazebos, gates) and play equipments that are smaller than one hundred twenty (120) square feet in size with no portion of the structure equal to or greater than eight (8) feet in height. In order to maintain necessary fire breaks, combustible landscape features shall be set back a minimum of three (3) feet from all interior property lines with a minimum six (6)-foot separation between structures.

C. Development Standards

The development standards in this section are intended to supplement the standards in the underlying Base Zoning District for accessory structures. In the event of conflict between these standards and the underlying zoning district regulations, the provisions of this section shall apply.

1. The total square footage of all accessory structures on a single parcel, except swimming pools, shall not exceed 50 percent of the habitable floor area of the primary residential dwelling on the same parcel.
2. Not more than 30 percent of the required rear yard shall be occupied by accessory structures.
3. The appropriate approving authority may apply additional conditions to a Conditional Use Permit relative, but not limited to, dwelling size, location, access, height, etc., if special circumstances arise requiring such mitigation of anticipated adverse impacts to neighboring residences.
4. Accessory structures must be constructed in conjunction with or subsequent to construction of the primary building(s) on the site.

5. Proposed structures must meet the development standards outlined in Table 5.11-1. Unless otherwise described in the table, all accessory structures must meet the setbacks in the “General” category.

Table 5.11-1: Development Standards for Accessory Structures

Accessory Use Category	Setback from				
	Front Property Line	Side Street Property Line	Interior Property Line	Rear Property Line	Building Separation
General ¹	²	12.5 ft. ²	3 ft. ³	3 ft. ³	6 ft.
Swimming Pool or Spa ⁴	⁴	⁴	3 ft. ⁵	3 ft. ⁵	None
Pad < 8 inches tall	None	None	None	None	None

Notes:

1. Unless otherwise described in the table, all accessory structures must meet the setbacks in the “General” category.
2. The minimum setback distance shall be the same as the minimum setback distance for the primary structure in the underlying zoning district. On all lots, the accessory structures shall not be placed in front of the principal building. If located to the side of the principal building on an interior lot, the structure shall not be placed closer to the front lot line than the farthest back front wall of the principal building.
3. Accessory structures must maintain a minimum three (3)-foot setback from property lines for any portion of the structure, except that smaller structures or sheds which do not exceed one hundred twenty (120) square feet in area and nine (9) feet in height overall may be placed on the property line.
4. Swimming pools and spas may not be located within the required front or side street yard.
5. The City Building Inspector may approve setbacks of less than three (3) feet. For the purpose of this section, setback shall be from the right of way or property line to the water line.